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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION**

10
11 ROBERT PRITIKIN, et al.,
12 Plaintiffs,
13 v.
14 COMERICA BANK, et al.,
15 Defendants.

CASE NO. CV 09-03303 JF
PROOF OF SERVICE

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action. My business address is at BUCHALTER NEMER, A Professional Corporation, 333 Market Street, 25th Floor, San Francisco, California 94105-2126.

On the date set forth below, I served the foregoing documents which are being electronically filed described as:

**NOTICE OF MOTION AND MOTION TO DISMISS THE COMPLAINT
BY DEFENDANT COMERICA BANK**

**REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANT
COMERICA BANK'S MOTION TO DISMISS THE COMPLAINT**

**DECLARATION OF MONIQUE JEWETT-BREWSTER IN SUPPORT OF
DEFENDANTS COMERICA'S MOTION TO DISMISS THE COMPLAINT**

on all other parties and/or their attorney(s) of record to this action by placing a true copy thereof in a sealed envelope as follows:

Robert M. Lubin, Esq.
Joseph Camenzind, IV
Law Office of Robert Lubin
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Counsel for Plaintiffs

Kenneth Pritikin, Esq.
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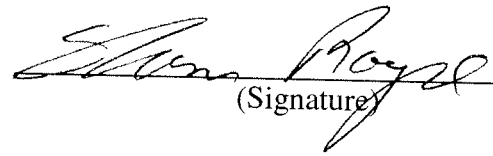
Courtesy Copy:

The Honorable Jeremy Fogel
United States District Court
Northern District of California
Courtroom 3, 5th Floor
280 South 1st Street
San Jose, CA 95113

☒ **BY OVERNIGHT DELIVERY** On August 28, 2009, I placed the Federal Express/Overnite Express package for overnight delivery in a box or location regularly maintained by Federal Express/Overnite Express at my office, or I delivered the package to an authorized courier or driver authorized by Federal Express/Overnite Express to receive documents. The package was placed in a sealed envelope or package designated by Federal Express/Overnite Express with delivery fees paid or provided for, addressed to the person(s) on whom it is to be served at the address(es) shown above, as last given by that person on any document filed in the cause; otherwise at that party's place of residence.

1 I declare that I am employed in the office of a member of the bar of this court at whose
2 direction the service was made. Executed on August 28, 2009, at San Francisco, California.

3
4 Sharon Royce


(Signature)